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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

IVAN SIGMOND,

Defendant.

CASE NO. 1:20-CR-00160-ADA-BAM

STIPULATION TO CONTINUE STATUS
CONFERENCE AND EXCLUDE TIME PERIODS
UNDER THE SPEEDY TRIAL ACT; ORDER

DATE: September 27, 2023
TIME: 1:00 p.m.
COURT: Hon. Barbara A. McAuliffe

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a status conference on September 27, 2023.
2. The parties hereby request that the Court continue status conference to November 8, 2023, at 1 p.m. and exclude time between September 27, 2023, and November 8, 2023, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The parties continue to conduct investigation and engage in plea discussions and believe that a continuance is necessary to effectuate a potential resolution.
 - b) Counsel for defendant believes that failure to grant the above-requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

1 c) The government does not object to the continuance.

2 d) Based on the above-stated findings, the ends of justice served by continuing the
3 case as requested outweigh the interest of the public and the defendant in a trial within the
4 original date prescribed by the Speedy Trial Act.

5 e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
6 et seq., within which trial must commence, the time period of September 27, 2023, to November
7 8, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local
8 Code T4] because it results from a continuance granted by the Court at defendant's request on
9 the basis of the Court's finding that the ends of justice served by taking such action outweigh the
10 best interest of the public and the defendant in a speedy trial.

11 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
12 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
13 must commence.

14 IT IS SO STIPULATED.

15 Dated: September 18, 2023

16 PHILLIP A. TALBERT
United States Attorney

17 /s/ KAREN A. ESCOBAR
18 KAREN A. ESCOBAR
Assistant United States Attorney

19 Dated: September 18, 2023

20 /s/ DAVID BALAKIAN
21 DAVID BALAKIAN Counsel
for Defendant IVAN SIGMOND

ORDER

IT IS SO ORDERED that the status conference is continued from September 27, 2023, to **November 8, 2023, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe**. Time shall be excluded from September 27, 2023, through November 8, 2023, pursuant to 18 United States Code Section 3161(h)(7)(A), B(iv), to allow the parties to continue their plea discussions and conduct further investigation. The Court finds that the ends of justice outweigh the interest of the defendant and the public in a speedy trial. If the parties do not resolve the case in advance of the next status conference, they shall be prepared to set a trial date at the status conference hearing.

IT IS SO ORDERED.

Dated: September 18, 2023

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE